



*Prudential Ins. Co. of Am. v. Nat'l Park Med. Ctr., Inc.*, 413 F.3d 897, 903 (8th Cir. 2005). This Court will deny Defendants' Motion to Reconsider.

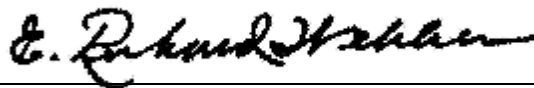
As noted in this Court's September 28, 2012 Memorandum and Order denying Plaintiff Custom Hardware Engineering & Consulting, Inc.'s and Counterclaim-Defendant David York's Motion for Sanctions [ECF No. 268], the record in this matter reveals a history of repeated and lengthy discovery quarrels, the parties' inability to cooperate and reach agreement, and the absence of good faith attempts by the parties to informally resolve disputes, to the detriment of their clients. This Court has advised the parties to attempt with more civility to resolve similar discovery disputes through agreement or other means; however, the parties' disregard for this advice has served only to increase the cost of litigation and delay the progression of the action. Such conduct has necessitated the amendment of the Court's Case Management Order on four occasions since the initiation of this litigation. No further delay will be tolerated.

Accordingly,

**IT IS HEREBY ORDERED** that Defendants/Counterclaim-Plaintiffs' Motion to Reconsider Based on New Evidence [ECF No. 270] is **DENIED**.

**IT IS FURTHER ORDERED** that Defendants' Motion to Amend Case Management Order by Extending Deadline for Discovery [ECF No. 272] is **DENIED**.

Dated this 9th day of October, 2012.



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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE